REMARKS

Claim Objections

Claims 31-35 have been amended to correct minor typographical errors. Claim 31 has been amended to delete the repetition of "methacrylate". Claim 31 was canceled to resolve the improper dependency. Reconsideration of the amended claims is requested.

The Rejections Under 35 USC Section 112

Claims 26-55 had been rejected under 35 USC Section 112, first paragraph, as failing to comply with the written description requirement. Applicants have amended claim 26 and have changed "matter" to "matte", thereby correcting that inadvertent misspelling. As support for the usage of the term "matte" in the claims Applicants direct the Examiner's attention to the numerous appearances of that term throughout the specification (e.g. page 1, lines 11 and 18, page 2, line 10, etc.).

With regard to the Examiner's contention that "non-porous" is unsupported by the specification, Applicants strongly disagree and submit that in fact it is inherent in the manufacture of the product according to the invention that the resulting product would be non-porous. During the process of the extrusion, there is no moisture present that would result in porosity in the final composite. Furthermore , although the term "non-porous" does not appear in the specification, non-porosity as a characteristic of the final sheet product is inherent in the applications cited for the invention, for example, to manufacture a shower door, sanitary ware, bread boards, aquariums, and window glazing.

With regard to the language "hard, nonelastomeric particles", applicants submit that although these adjectives do not appear in the original specification, it is inherent in that when using the materials specified in the description of the preferred embodiments, namely methacrylates, that all such acrylic, crosslinked particles according to the invention would be both *hard* and *non-elastomeric*.

The Rejections Under 35 USC Section 103

1. Claims 26-47 and 52-5 had been rejected under 35 USC Section 103(a) as being unpatentable over US Patent No. 5,318,737 ("Trabert '737").

As a preliminary matter, Applicants would like to express that it is unclear to what the Examiner is referring on page 6, number 6, paragraph 2 of the Office Action, where the Examiner states that "the newly presented claims do not recite that the composite has a matte finish". While it is true that in claim 26, added in the previous Amendment , the word "matte" was inadvertently misspelled as "matter", the word "matte" appeared correctly in claim 27 as well as numerous times in specification. Claim 26 has now been amended so that "matte" appears correctly. Applicants also wish to state for the record that the word "matte finish" in this context is intended to refer to the appearance of frosted glass, as stated on page 1, line 15 of the specification.

Applicants strongly traverse this rejection and assert that Trabert does not teach a composite product having either the matte (frosted glass) appearance of the invention nor the property of fingerprint resistance as does the invention. The following distinctions between the invention and Trabert '737 are salient.

- The invention is a composite sheet product in which translucent, hard, non-elastomeric, cross-linked acrylic particles are dispersed in a structural plastic, over which is bonded a capstock layer. The

translucent particles allow light transmission giving the product the appearance of frosted glass. The surface of the product according to the invention is fingerprint resistant. It is clear that decorative considerations are predominant in the choice of materials and manufacture of the invention.

- Trabert '737 is a composite plastic product whose outstanding feature is impact resistance. The product has been designed to maximize physical strength and weathering resistance. Examples of language to this effect abound in the reference itself (col.1, ln.42-51; col. 4, ln. 31-33; col. 5, ln. 24-28 and 39-47 etc.). Trabert '737 produces **neither** a product having the etched frosted glass surface (yielding a transparent final product instead) **nor** the fingerprint resistance of the invention.

Furthermore, the combination of Trabert' 737 and US Pat. No. 3,714,107 ("Smith '107") does not render obvious the claims. Applicants assert that there is an essential difference between the use of large mineral particles as in Smith '107 and the use of the hard non-elastomeric acrylic particles of the invention. The mineral particles of Smith '107, e.g. mica, Kaolin clays, hydrated alumina, precipitated calcium carbonate, precipitated barium sulfate, and stinwhite. The use of any of the foregoing in the invention would alter the transmission of light and therefore the final appearance of the product, yielding not a frosted glass appearance as desired but rather a whitish colored appearance. Accordingly, it would not have been obvious to combine the particles of Smith with the composite plastic of Trabert because Trabert was invented with a different purpose (impact resistance) in mind and the partciels of Smith, do not result in a translucent product that conducts light and has a frosted glass appearance as does the invention. Applicants request withdrawal of the rejection and reconsideration of the claims.

2. Claims 48-51 were rejected under 35 USC Section 103(a) as being unpatentable over Trabert '737 in view of US Patent No. 6,225,407 ("Jacobs '407").
Applicants request withdrawal of the rejection and reconsideration of the claims. As discussed above, Trabert does not render obvious the invention because Trabert does not render obvious a "plastic sheet product with non-porous matte finish" having "discrete particles being of a hard, non-elastomeric crosslinked polymeric composition" Therefore, the combination of references does not render obvious the dependent claims incorporating the additional restrictions of a particular range of refractive index.

Fees

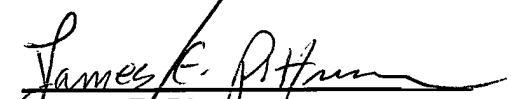
The fee for a one-month extension of time is included herewith. No other fees are believed to be necessitated by the foregoing Response. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

CONCLUSION

Entry of the foregoing amendments and remarks into the record is requested. Reconsideration of the claims and an early allowance is earnestly sought.

Respectfully submitted,

KLAUBER & JACKSON



James E. Pittman
Registration No. 47,860

Continental Plaza
411 Hackensack Avenue
Hackensack, New Jersey 07601
(201) 487-5800
Date: 12 September 2003